

REMARKS

No claims have been amended, cancelled, or added in this response. Claims 30 - 51 are under examination.

REJECTIONS BASED ON THE PRIOR ART

35 U.S.C. § 103

Claims 30 and 42 were rejected under 35 U.S.C. 103(a) as being unpatentable over Morshed et al., U.S. Patent No. 6,760,903 (hereinafter, Morshed) in view of Mathur et al, U.S. Patent 6,704,807 (hereinafter, Mathur). The rejection is respectfully traversed for the following reasons.

Claim 31 recites:

A method of communicating, said method comprising:

maintaining a connection, via a network, between a first proxy on a first server
and a second proxy on a second server;

while maintaining the connection:

a plurality of first processes on the first server communicating with a
plurality of second processes on the second server via the
connection by:

the plurality of first processes exchanging data with the
first proxy via shared memory, wherein each of

the plurality of first processes is assigned a
unique region of the shared memory; and
said first proxy transmitting said data via said
connection to said second proxy (emphasis
added).

The rejection appears to allege that Morshed's collectors 1074 correspond to the claimed proxies. Furthermore, while Morshed teaches that a collector 1074 may communicate with another collector 1074 via a connection, there is nothing between the collectors that could be considered to be a proxy (e.g., FIG. 33, 1058). Therefore, Morshed's collectors 1074 cannot be the claimed processes that communicate with each other via a connection that is maintained between two proxies.

The monitor processes 1072 taught by Morshed do not communicate with each other via any connection used by the collectors 1074 and thus cannot be the claimed first and second processes. For example, referring to FIG. 35, local monitor process 1072b does not communicate with remote monitor process 1072c via the communication link between two collectors 1074a, 1074b. Rather, Morshed teaches that a monitor process may establish a remote connection with a remote collector via a local collector. However, any data exchange on the remote connection takes place between a monitor process and a remote collector with the local collector as an intermediary. No remote monitor process is involved in the data exchange. Therefore, Morshed's monitor processes cannot be the claimed processes that communicate with each other via a connection that is maintained between two proxies.

Moreover, Morshed teaches that a client process and a server process communicate via their own communication link (see e.g., FIG. 35) and not any communication link used by the collectors. At col. 48, lines 30 – 60, Morshed clearly discloses that the client process and server process use a different communication connection than the collectors. Specifically, in that passage Morshed discloses that there may be a collector communication connection between collectors that is used to transmit execution data between collectors and that there may be a second communication channel between a server process and a client process that is used for remote procedure calls rather than to facilitate exchange of data between the collectors. Further, Morshed discloses that the collector communication connection is established subsequent to the client/server communication channel. Therefore, Morshed's client and server processes cannot be the claimed processes that communicate with each other via a connection that is maintained between two proxies.

For the foregoing reasons, Morshed does not teach or suggest, "a plurality of first processes on the first server communicating with a plurality of second processes on the second server via the connection," as claimed.

Claim 30 also recites that the first and second processes communicate via the connection, while maintaining the connection. As previously discussed, Morshed does not teach or suggest that the local monitor processes communicate with the remote monitor processes. Moreover, when a particular local monitor process does communicate with a particular remote **collector**, it does so on a connection that is only used for communication between that particular local monitor process and that particular remote collector. Thus,

multiple monitor processes do not communicate with any other process via a connection, while maintaining the connection.

Morshed may teach that a single collector can be used to collect information from multiple monitor processes. However, using a single collector with multiple monitor processes does not teach or suggest that multiple monitor processes use the same communication link to communicate with any particular local or remote collector.

Morshed's teaching of how monitor processes establish remote connections clearly indicates that each monitor process uses a separate remote connection to communicate with a remote collector. Morshed teaches that the monitor processes initiate establishing the remote connections in response to a remote procedure call from a client process to a server process (col. 44, line 64 – col. 45, line 1). Moreover, Morshed teaches that to establish the remote connection, a local monitor uses a client-side process identifier and system name pair (col. 37, lines 62 – 66). Note that the client-side process identifier is used to identify the process that the monitor is monitoring. Thus, it is clear that any particular remote connection is to be used by the particular monitor process in association with a particular process being monitored. Therefore, multiple monitor processes would not use the same remote connection, while maintaining the connection.

Further, Claim 30 recites “the plurality of first processes exchanging data with the first proxy via shared memory.” The rejection concedes that Morshed does not teach shared memory. The rejection asserts that Mathur remedies this deficiency by teaching that different processes are assigned a unique region of shared memory. Applicants respectfully disagree.

Mathur teaches that “the kernel 214 protects applications from accessing memory outside of their allocated slot by generating an exception. By generating an exception if a process accesses a slot in memory not assigned to it, Mathur prevents data exchange between a proxy and a plurality of processes via shared memory, as claimed. For example, if Morshed were to be modified by assigning each of the monitor processes and the collector their own memory slot as taught by Mathur, then no data could be exchanged between any of the monitors and the collector via the memory because an exception would occur if a collector accessed data in one of the slots assigned to a monitor process or if monitor process accessed data in one of the slots assigned to a collector.

For all of the foregoing reasons, Claim 30 is allowable over the prior art.

Independent Claim 42 comprises similar limitations to those discussed in the remarks regarding Independent Claim 30. Therefore, Claims 42 is allowable.

Claims 31-41 and 43-51 were rejected under 35 U.S.C. 103(a) as being unpatentable over Morshed and Mathur in view of Lanteigne et al, U.S. Patent 6,557,056 (hereinafter Lanteigne). The rejection is traversed for the following reasons.

Independent Claim 40 comprises similar limitations to those discussed in the remarks regarding Independent Claim 30. Lanteigne does not remedy the deficiencies of Morshed and Mathur discussed herein with respect to these claim limitations, nor does the rejection allege that Lanteigne remedies those deficiencies. Therefore, Independent Claim 40 is allowable over Morshed and Mathur in view of Lanteigne.

The remaining claims depend from one of Claims 30, 40, or 42, and are therefore allowable. Moreover, the dependent claims recite additional limitations that further distinguish over the prior art.

CONCLUSION

The Applicant believes that all issues raised in the Office Action have been addressed and that allowance of the pending claims is appropriate.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

To the extent necessary to make this reply timely filed, the Applicant petitions for an extension of time under 37 C.F.R. § 1.136.

If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

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Date: July 18, 2006



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

on July 18, 2006 by Trudy Bagdon
Trudy Bagdon